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C O N F I D E N T I A L SECTION 01 OF 02 CARACAS 000584

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TAGS: PGOV KDEM VE

SUBJECT: VENEZUELAN GOVERNMENT TARGETS MORE POLITICAL OPPONENTS

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Classified By: POLITICAL COUNSELOR FRANCISCO FERNANDEZ,
FOR REASON 1.4(D)

¶1. (C) Summary: The Government of the Bolivarian Republic of Venezuela (GBRV) continues to direct the legislative and judicial branches to pursue politically-motivated charges against members of the political opposition and dissident members of President Chavez's United Socialist Party of Venezuela (PSUV). Since jailing former Minister of Defense Raul Baduel and attempting to arrest the now-exiled Mayor of Maracaibo, Manuel Rosales, the GBRV is pursuing legal cases against several other prominent politicians. The Chavez government exercises full control over the National Assembly (AN) and Supreme Court (TSJ) and is well positioned to continue to intimidate, disqualify, and when it deems necessary, jail the GBRV's most prominent opponents. End Summary.

GBRV CRACKS DOWN

¶2. (SBU) The GBRV requested April 29 that Interpol issue a "red notice" for former Mayor of Greater (2001-04) Caracas Alfredo Pena. This request came one week after a similar GBRV request of Interpol for Maracaibo Mayor Manuel Rosales, who was recently granted political asylum in Peru. Pena was a close ally of Chavez until he defected to the opposition in ¶12002. The government initiated a corruption investigation against him in 2004, after which Pena largely disappeared from public view. He is widely believed to be in hiding outside of the country.

¶3. (SBU) The National Assembly (AN) Interior Political Commission interpellated Henrique Salas Feo, the opposition governor of Carabobo State, on May 6 regarding alleged procedural irregularities. AN Vice President Saul Ortega accused Salas Feo of having broken the law by arranging to be sworn in to his new gubernatorial seat in December 2008 by a judge, rather than the local legislative council. Salas Feo responded that there was nothing irregular about his oath of office, noting that as many as 15 to 20 governors and mayors throughout Venezuela have been sworn in by a judge -- including his Chavista predecessor, former Carabobo Governor (2004-08) Luis Felipe Acosta Carlez.

¶4. (C) The opposition governor of Tachira State, Cesar Perez Vivas, currently faces a court challenge to have his November 2008 election victory overturned. Perez Vivas won by just a few thousand votes against the PSUV's Leonardo Salcedo, and the PSUV claims voting irregularities that would

change the tally in favor of Salcedo. Perez Vivas told the Charge May 6 that he expects a verdict on his case by the end of the month and remains confident he will win. He pointed out that while he won by a slim margin in November, the state's "No" vote on February 15 won handily by 15 percent (75,000 votes). Perez Vivas added that the PSUV in Tachira is divided, suggesting he might even win by a bigger margin should the National Electoral Council (CNE) re-run the election. Perez Vivas' Christian Democrat party (COPEI) fears the CNE will order a new vote only at certain polling stations where Perez Vivas did well -- giving the PSUV machinery an opportunity to focus its efforts to reverse the overall result.

CHAVISTA DISSIDENTS BEWARE

¶ 15. (SBU) The AN Political Interior Commission issued a citation May 7 for Podemos party leader and AN Deputy Ismael Garcia to be interpellated -- possibly with the intent to lift his legislative immunity -- regarding allegations that Garcia illegally leaked a document regarding the anticipated sentencing of Manuel Rosales. The formerly pro-government Podemos party split with Chavez in 2007. At Podemos's sixth anniversary party the same day, Garcia announced that "justice only functions for part of the country and to protect (the government's) own interests" and called the AN a "judicial office of Miraflores." He added that he does not intend to answer the AN's interpellation citation.

¶ 16. (SBU) Narciso Chavez, one of President Chavez's brothers, has filed a lawsuit before the Supreme Court (TSJ) against AN Deputy Wilmer Azuaje -- a PSUV dissident from Barinas State -- for Azuaje's public denouncements of Chavez

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family corruption. Azuaje, along with several other AN deputies, presented a solicitation before the Attorney General in mid-April to investigate Chavez's father, former Barinas State Governor Hugo de Los Reyes Chavez, on charges that he stole more than USD 25 million during his tenure. Azuaje also accused Chavez's brother, current Barinas Governor Adan Chavez, of accepting payment from 53 companies involved in public works projects that never came to fruition.

PPT CRITICIZES GBRV, BUT NOT CHAVEZ

¶ 17. (SBU) The pro-government Patria Para Todos (PPT) Secretary General, Jose Albornoz, criticized May 5 the GBRV's corruption case against the former PPT Governor of Guarico State, Eduardo Manuitt. The central government initiated an investigation into Manuitt's tenure as governor (2000-08) in December 2008, shortly after his daughter ran to succeed him under the PPT banner as a third party, pro-government dissident candidate. Albornoz alleged that PSUV Vice-President Alberto Muller Rojas had openly pledged to "resurrect all the old files against Manuitt (in order) to send him to jail" and professed that he does not trust the Venezuelan justice system.

¶ 18. (SBU) Albornoz stressed, however, that Manuitt's case is not like Rosales' and that "there is a systematic campaign against PPT." He added that "we have to look for a political space that permits healthy, pro-active criticism (of the GBRV)" and worried that Manuitt's daughter, Lenny, would be targeted next and made ineligible to run for office. Nevertheless, Albornoz blamed the alleged witch-hunt on the current PSUV Governor in Guarico State, William Lara, implausibly suggested that the government pressure on PPT is occurring without Chavez's knowledge or will.

COMMENT

¶9. (C) PPT's ambivalent response to the GBRV's attack on one of its own, while nothing new, underscores how cowed even Chavez's political allies are. They are willing to attack others within Chavismo, but not Chavez himself -- suggesting they "get the message" that confronting the Venezuelan President directly is prohibited. It is almost certain that the Chavista-dominated AN and TSJ will side with Chavez and rule in his favor over even the flimsiest of charges against his latest round of political targets. The last check on Chavez's power appears to be a popular backlash -- an unlikely event given the relatively limited political bases of the targeted politicians, and the opposition's own lack of coherence and organization.

CAULFIELD